

Santa Rosa County Sheriff's Office

SI #16-022



Santa Rosa County Sheriff's Office

Sheriff Wendell Hall

CITIZEN COMPLAINT REPORT

Nature of Complaint: MISCONDUCT Date of Incident: 6-24-2016

Location of Incident: Santa Rosa Sheriff's Department

Member(s) Involved: Debbie Pearce, James Miller

Complainant: DEBBIE PEARCE Date of Birth: 06-12-62

Address: 9790 WASHINGTON ST Telephone #: (850) 554-4093
CANTONMENT, FL 32533

Summary: (SEE ATTACH)

I hereby swear and affirm that the above and all attached statements and/or documentation are true and correct to the best of my knowledge. I have fully read and understand the attached Florida State Statute § 112.533 regarding the Receipt and Processing of Complaints. Specifically, I acknowledge that until this investigation is completed, I am not to discuss my complaint with anyone other than the Deputy assigned to investigate my complaint or my legal representative.

Complainant's Signature: Debbie Pearce

Sworn to and subscribed before me this
24th day of JUNE 2016.

Capt. Chris Cato
Person Authorized to Administer Oath

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ADMINISTRATIVE INVESTIGATIONS DIVISION CITIZEN COMPLAINT REPORT (Cont.)

I Debbre Pearce Am making a STATEMENT
Regarding An Incident THAT OCCURED ON 6-23-16
At or Around 900 PM At the SANTA ROSA COUNTY
JAIL LOBBY An police car An Officer
James Miller, My Son was Convicted of A Crime
Earlier that day, AFTER COURT I CAME UP TO
the Jail to SEE him. I was very UPSET An
MADE A STATEMENT THAT I WAS UPSET AND DIDN'T
WANT to LIVE. 4 Officers came out An ASKED
ME how I just ~~done~~ put handcuffs on me An
STATED they were BAKING ACCORDING DUE to my
STATEMENT. They put my hands behind my BACK
An the handcuffs very TIGHT, I explained to
the officer I had a bad shoulder An NECK.
they then put the handcuffs in FRONT. Officer
James Miller then grabbed me by my ARM
An STARTING WALKING Very fast towards his CAR,
then he showed me into the BACK SEAT I
ASKED him for my GLASSES An purse he
SAID there in the TRUNK. Then he

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ADMINISTRATIVE INVESTIGATIONS DIVISION CITIZEN COMPLAINT REPORT (Cont.)

Started driving, I then asked him you didn't put my seat belt on and he said "you don't have to wear your in the back seat." I had a silk type dress on all I was sliding on the hard plastic seat, and when he did a sharp turn I slid across the seat. He was driving excessively fast and at one point I saw 80 mph, I asked him to slow down because I was scared. I hurt my back in the back of the police car. I was on my iPhone watch talking to my daughter and telling him to slowdown. Finally he arrived at the West Florida ER and he opened the door and pulled me out of the car by my arm very hard and it really hurt. He was walking me very fast up to the ER and I felt like I was being dragged or pulled. We entered the ER waiting area immediately went into the Lockdown area there were 4 nurses there, I still had the

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ADMINISTRATIVE INVESTIGATIONS DIVISION CITIZEN COMPLAINT REPORT (Cont.)

With cuffs on, he went to undo the cuffs, I asked him not to be so mean, he was very rough, he stood up and I said you don't have to be so mean, why are you treating me this way? Then one of the nurses said "you don't have to treat or talk to her that way or anybody, she's a human being and you're not allowed to treat her that way, then all of the nurses agreed and said it again to him. He then started to walk away and said good luck you got he now, I felt like I was a criminal. He had no compassion for me or understanding of what I went through that day, IT WAS the worst experience of my life, I was scared the whole time I was in his custody. I'm not a criminal I was a mother in distress.

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ADMINISTRATIVE INVESTIGATIONS DIVISION CITIZEN COMPLAINT REPORT (Cont.)

that Needed compassion not violence
perpetrated by this officer.

This was the hardest day of
my life! This officer needs to
understand that not all people
comes into contact with are
bad people. He is here to
serve and protect and be trusted
not feared.

I request a follow up so I can
know what the sheriff is going to
do to prevent this from happening to
another innocent person who is in
distress and committed no crime.

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112.533 Receipt and processing of complaints.--

- (1) Every law enforcement agency and correctional agency shall establish and put into operation a system for the receipt, investigation, and determination of complaints received by such agency from any person.
- (2) (a) A complaint filed against a law enforcement deputy or detention deputy with a law enforcement agency or correctional agency and all information obtained pursuant to the investigation by the agency of such complaint shall be confidential and exempt from the provisions of s. 119.07(1) until the investigation ceases to be active, or until the agency head or the agency head's designee provides written notice to the deputy who is the subject of the complaint, either personally or by mail, that the agency has either:
 1. Concluded the investigation with a finding not to proceed with disciplinary action or to file charges; or
 2. Concluded the investigation with a finding to proceed with disciplinary action or to file charges.

Notwithstanding the foregoing provisions, the deputy who is the subject of the complaint may review the complaint and all statements regardless of form made by the complainant and witnesses immediately prior to the beginning of the investigative interview. If a witness to a complaint is incarcerated in a correctional facility and may be under the supervision of, or have contact with, the deputy under investigation, only the names and written statements of the complainant and no incarcerated witnesses may be reviewed by the deputy under investigation immediately prior to the beginning of the investigative interview.

- (a) This subsection does not apply to any public record which is exempt from public disclosure pursuant to F.S.S. 119.07(3). For the purposes of this subsection, an investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future. An investigation shall be presumed to be inactive if no finding is made within 45 days after the complaint is filed.
 - (a) Notwithstanding other provisions of this section, the complaint and information shall be available to law enforcement agencies, correctional agencies, and state attorneys in the conduct of a lawful criminal investigation.
- (1) A law enforcement deputy or detention deputy has the right to review his or her official personnel file at any reasonable time under the supervision of the designated records custodian. A law enforcement deputy or detention deputy may attach to the file a concise statement in response to any items included in the file identified by the deputy as derogatory, and copies of such items must be made available to the deputy.

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(2) Any person who is a participant in an internal investigation, including the complainant, the subject of the investigation, the investigator conducting the investigation, and any witnesses in the investigation, who willfully discloses any information obtained pursuant to the agency's investigation, including, but not limited to, the identity of the deputy under investigation, the nature of the questions asked, information revealed, or documents furnished in connection with a confidential internal investigation of an agency, before such complaint, document, action, or proceeding becomes a public record as provided in this section commits a misdemeanor of the first degree, punishable as provided in F.S.S. 775.082 or F.S.S. 775.083. However, this subsection does not limit a law enforcement or detention deputy's ability to gain access to information under paragraph (2)(a). Additionally, a sheriff, police chief, or other head of a law enforcement agency, or his or her designee, is not precluded by this section from acknowledging the existence of a complaint and the fact that an investigation is underway.

History.— F.S.S. 3, ch. 74-274; F.S.S. 3, ch. 82-156; F.S.S. 1, ch. 82-405; F.S.S. 1, ch. 83-136; F.S.S. 1, ch. 87-59; F.S.S. 2, ch. 89-223; F.S.S. 1, ch. 90-32; F.S.S. 31, ch. 90-360; F.S.S. 3, ch. 93-19; F.S.S. 722, ch. 95-147; F.S.S. 39, ch. 96-406; F.S.S. 2, ch. 98-249; F.S.S. 2, ch. 2000-184.